

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

Case No. 3:23-md-03084-CRB (LJC)

This Document Relates to:

ALL MATTERS

**JOINT LETTER REGARDING DEPOSITIONS  
OF DARA KHOSROVSHAHI AND TRAVIS  
KALANICK**

Judge: Hon. Lisa J. Cisneros  
Courtroom: G - 15th Floor

Dear Judge Cisneros:

On April 3, 2025, the Court ordered the parties to file a joint statement by April 8, 2025 as to: (1) the specific arrangements available for the Court to supervise a remote deposition of Mr. Khosrowshahi and Mr. Kalanick, and (2) the dates that those witnesses will be in the greater San Francisco Bay Area or anywhere in California before the close of fact discovery, as well as the parties' positions as to whether those dates would be a suitable time to conduct a deposition at the San Francisco courthouse. Dkt. No. 2705 at 4. Below are the parties' joint statement as to Mr. Khosrowshahi and individual positions as to Mr. Kalanick.

### **Dara Khosrowshahi**

The parties are in agreement that the deposition of Mr. Khosrowshahi may proceed on May 20 in New York, New York, as previously planned, with the presumptive location being Paul, Weiss's New York office. Defendants write to request that the Court allow them to proceed with the deposition in New York.

Mr. Khosrowshahi's schedule is set long in advance, and, as a result, his trips to California during the relevant period are fully scheduled and would not be feasible dates for a deposition. Moreover, Defendants' position is that proceeding with a deposition in a courthouse would be complicated given the significant security concerns regarding CEOs in today's environment and the extensive pre-appearance security measures that would be necessary. While Plaintiffs take no position on the above, other than that the remaining apex depositions are in accordance with the Court's March 24 order [Dkt. No. 2600], the Plaintiffs have agreed with Defendants to proceed with Mr. Khosrowshahi's deposition in New York.

Uber has confirmed that it will work with the Court Reporter and other necessary personnel to ensure that the Court would have a full view of the deposition room (including participating attorneys and audio of attorney colloquy) on Zoom as well as RealTime transcription, and the parties would begin the deposition late morning Eastern time (*i.e.*, approximately 9:00 a.m. Pacific) to accommodate the Court's schedule, assuming this is amenable to the Court. Defendants ensure that none of this will be disruptive to the flow of the deposition and Mr. Khosrowshahi will be available until 5:00 p.m. Pacific, in the event an extended period of time is required to complete the deposition.

In the event the Court deems Uber's unopposed proposal to be unacceptable, Uber respectfully requests (and Plaintiffs do not oppose) a short extension of one week in order for Uber to provide further scheduling information for Mr. Khosrowshahi.

### **Travis Kalanick**

**Defendants' Position:** At present, Mr. Kalanick has no plans to be in San Francisco between now and June 16. He resides in Southern California and thus has plans to be in Southern California over the course of the remaining discovery period. In terms of the possible dates for the deposition, Mr. Kalanick has confirmed that he is available for a deposition in Los Angeles on May 27; and he also could be available in Los Angeles on May 23.

Plaintiffs are available to proceed on May 27 in Los Angeles, but have stated that they nevertheless request that Mr. Kalanick be ordered to appear for his deposition at the courthouse in San Francisco. Neither Uber nor non-party Mr. Kalanick agree with Plaintiffs' request, which is unnecessary given that the date and location is already agreed upon, and the Court can participate remotely with the accommodations described above. Plaintiffs' position is also inconsistent with Federal Rule of Civil Procedure 45, which provides that a non-party cannot be compelled to appear for a deposition more than "100 miles [from] where [he] resides, is employed, or regularly transacts business in person." Fed. R. Civ. P. 45(c)(1)(A).

**Plaintiffs' Position:** Mr. Kalanick's deposition should proceed at the courthouse in San Francisco under the Court's supervision. As the Court previously noted, at Gus Fuldner's deposition, defense counsel gave "obviously improper instructions not to answer, asserted objections that were not allowed by Pretrial Order No. 16 and appeared at times to be intended (at least in part) to coach the witness, and engaged in distracting colloquy among themselves." *See* ECF No. 2705 at 2. In-person supervision by the Court of Mr. Kalanick's deposition is the best option to prevent this conduct from occurring at his deposition.

Logistically, San Francisco is a short flight from Los Angeles, and it would not be an overly burdensome trip for Mr. Kalanick to travel intrastate to attend a four-hour deposition. Defendants have not claimed that there is any physical impairment which prevents Mr. Kalanick from traveling within California to San Francisco, nor have they claimed that any special accommodations are necessary for his deposition. Further, Mr. Kalanick resided in San Francisco for a substantial part of the relevant time period and has not submitted a Declaration or other evidence to confirm that he no longer owns or rents property within the area.

[Signature page follows]

By: /s/ Roopal P. Luhana

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**FILER'S ATTESTATION**

I, Randall S. Luskey, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

Dated: April 8, 2025

By: /s/ Randall S. Luskey  
Randall S. Luskey